

JS 44C/SDNY  
REV. 06/01/17

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS  
JOSEPH EBANKS, Individually and on Behalf of  
All Others Similarly Situated

DEFENDANTS  
IFINEX INC., BFXNA INC., TETHER HOLDINGS LIMITED, TETHER LIMITED,  
TETHER OPERATIONS LIMITED, DIGFINEX INC., JEAN-LOUIS VAN DER  
VELDE, GIANCARLO DEVASINI and PHILIP POTTER

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
ROBBINS GELLER RUDMAND & DOWD LLP  
58 South Service Road, Suite 200  
Melville, NY 11747 631/367-7100

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Complaint for Violations of the Commodities Exchange Act (7 U.S.C. §1, et seq.) and the Sherman Antitrust Act (15 U.S.C. §2).

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

Is THIS AN INTERNATIONAL ARBITRATION CASE?

No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

## NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES	
<b>CONTRACT</b>	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<b>FORFEITURE/PENALTY</b>
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 367 HEALTHCARE/	[ ] 625 DRUG RELATED
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	[ ] 625 DRUG RELATED
[ ] 130 MILLER ACT	LIABILITY	INJURY/PRODUCT LIABILITY	SEIZURE OF PROPERTY
[ ] 140 NEGOTIABLE	[ ] 320 ASSAULT, LIBEL &	[ ] 365 PERSONAL INJURY	21 USC 881
INSTRUMENT	SLANDER	PRODUCT LIABILITY	[ ] 690 OTHER
[ ] 150 RECOVERY OF	[ ] 330 FEDERAL	[ ] 360 ASBESTOS PERSONAL	
OVERPAYMENT &	EMPLOYERS'	INJURY PRODUCT	
ENFORCEMENT	LIABILITY	LIABILITY	
OF JUDGMENT	[ ] 340 MARINE	<b>PERSONAL PROPERTY</b>	[ ] 820 COPYRIGHTS
[ ] 151 MEDICARE ACT	[ ] 345 MARINE PRODUCT	[ ] 370 OTHER FRAUD	[ ] 830 PATENT
[ ] 152 RECOVERY OF	LIABILITY	[ ] 371 TRUTH IN LENDING	[ ] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION
DEFAULTED	[ ] 350 MOTOR VEHICLE		[ ] 840 TRADEMARK
STUDENT LOANS	[ ] 355 MOTOR VEHICLE		
(EXCL VETERANS)	PRODUCT LIABILITY		
[ ] 153 RECOVERY OF	[ ] 360 OTHER PERSONAL	[ ] 380 OTHER PERSONAL	<b>LABOR</b>
OVERPAYMENT	INJURY	PROPERTY DAMAGE	[ ] 710 FAIR LABOR
OF VETERANS'	[ ] 362 PERSONAL INJURY -	[ ] 385 PROPERTY DAMAGE	STANDARDS ACT
BENEFITS	MED MALPRACTICE	PRODUCT LIABILITY	[ ] 720 LABOR/MGMT
[ ] 160 STOCKHOLDERS			RELATIONS
SUITS		<b>PRISONER PETITIONS</b>	[ ] 740 RAILWAY LABOR ACT
[ ] 180 OTHER		[ ] 463 ALIEN DETAINEE	[ ] 751 FAMILY MEDICAL
CONTRACT		[ ] 510 MOTIONS TO	LEAVE ACT (FMLA)
[ ] 195 CONTRACT		VACATE SENTENCE	
PRODUCT		28 USC 2255	
LIABILITY		[ ] 530 HABEAS CORPUS	[ ] 790 OTHER LABOR
[ ] 196 FRANCHISE		[ ] 535 DEATH PENALTY	LITIGATION
		[ ] 540 MANDAMUS & OTHER	[ ] 791 EMPL RET INC
			SECURITY ACT (ERISA)
	<b>ACTIONS UNDER STATUTES</b>		
	<b>CIVIL RIGHTS</b>		
	[ ] 440 OTHER CIVIL RIGHTS		
	(Non-Prisoner)		
<b>REAL PROPERTY</b>		<b>PRISONER CIVIL RIGHTS</b>	<b>IMMIGRATION</b>
[ ] 210 LAND	[ ] 441 VOTING	[ ] 550 CIVIL RIGHTS	[ ] 462 NATURALIZATION
CONDEMNATION	[ ] 442 EMPLOYMENT	[ ] 555 PRISON CONDITION	APPLICATION
[ ] 220 FORECLOSURE	[ ] 443 HOUSING/	[ ] 560 CIVIL DETAINEE	[ ] 465 OTHER IMMIGRATION
[ ] 230 RENT LEASE &	ACCOMMODATIONS	CONDITIONS OF CONFINEMENT	ACTIONS
EJECTMENT	[ ] 445 AMERICANS WITH		
[ ] 240 TORTS TO LAND	DISABILITIES -		
TORT PRODUCT	EMPLOYMENT		
[ ] 245 LIABILITY	[ ] 446 AMERICANS WITH		
	DISABILITIES -OTHER		
[ ] 290 ALL OTHER	[ ] 448 EDUCATION		
REAL PROPERTY			

Check if demanded in complaint:

☒ CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.  
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?  
IF SO, STATE:

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_ JUDGE Katherine Polk Failla DOCKET NUMBER 1:19-cv-9236

Check YES only if demanded in complaint  
JURY DEMAND: ☒ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

## ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation (Transferred)
 ☐ 7 Appeal to District Judge from Magistrate Judge
- ☐ a. all parties represented
 ☐ b. At least one party is pro se.
 ☐ 8 Multidistrict Litigation (Direct File)

(PLACE AN x IN ONE BOX ONLY)

## BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY)
 ☐ 4 DIVERSITY

## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [ ] 1	DEF [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [ ] 3 [ ] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [ ] 5 [ ] 5
CITIZEN OF ANOTHER STATE	[ ] 2	[ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] 4 [ ] 4	FOREIGN NATION	[ ] 6 [ ] 6

## PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Joseph Ebanks  
3388 Marcella Ave.  
Stow, OH 44224  
(Summit County)

## DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

See Attachment A

## DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

## COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN

DATE 1/16/20

SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

☐ NO  
☒ YES (DATE ADMITTED Mo. 5 Yr. 1995)  
 Attorney Bar Code # SR7957

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

Attachment A to Civil Cover Sheet

IFINEX INC.

Registered Office:

C/O SHRM Trustees (BVI) Ltd.  
Trinity Chambers, P.O. Box 4301  
Road Town, Tortola  
British Virgin Islands VG1110

BFXNA INC.

Registered Office:

C/O SHRM Trustees (BVI) Ltd.  
Trinity Chambers, P.O. Box 4301  
Road Town, Tortola  
British Virgin Islands VG1110

TETHER HOLDINGS LIMITED

Registered Office:

C/O SHRM Trustees (BVI) Ltd.  
Trinity Chambers, P.O. Box 4301  
Road Town, Tortola  
British Virgin Islands VG1110

TETHER LIMITED

Registered Office:

C/O SHRM Trustees (BVI) Ltd.  
Trinity Chambers, P.O. Box 4301  
Road Town, Tortola  
British Virgin Islands VG1110

TETHER OPERATIONS LIMITED

Registered Office:

C/O SHRM Trustees (BVI) Ltd.  
Trinity Chambers, P.O. Box 4301  
Road Town, Tortola  
British Virgin Islands VG1110

DIGFINEX INC.

Registered Office:

C/O SHRM Trustees (BVI) Ltd.  
Trinity Chambers, P.O. Box 4301  
Road Town, Tortola  
British Virgin Islands VG1110

JEAN-LOUIS VAN DER VELDE  
27 Lo Wai Tsuen Pui O  
Lantau Island  
Hong Kong

GIANCARLO DEVASINI  
87 Avenue Winston Churchill  
06190 Roquebrune-Cap-Martin  
France

PHILIP POTTER  
205 Cottage Walk  
Ocean Beach, NY 11770  
(Suffolk County)